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City of Galveston



P.O. Box 779 / Galveston, Texas 77553

March 19, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

I recently submitted a pardon request to the U.S. Department of Justice, Office of Pardon Attorneys, asking for a posthumous pardon of John Arthur "Jack" Johnson. To my dismay, my appeal was denied. I am asking for you to reverse the Justice Department's decision and grant a posthumous pardon of John Arthur "Jack" Johnson, the first African-American heavyweight boxing champion of the world.

John Arthur "Jack" Johnson was born in Galveston, Texas in 1878 and attended Galveston public schools through the fifth grade before working in a series of local jobs and learning the sport of boxing. He quickly gained a national reputation as a quick and powerful fighter and in 1908 Johnson beat Tommy Burns and was crowned the world's heavyweight champion, a first in the African American community. He spent the next two years defending his title in five heavily publicized bouts.

In 1913, Johnson was tried for violating the Mann Act of 1910 which forbade transporting women across state lines for immoral purposes. It has been asserted that the case against Johnson was weak, but he was nonetheless convicted. Johnson left the country and moved to France avoiding his prison sentence. He later returned to the United States in 1920 and served a year in prison for his earlier conviction. Long after his death, Johnson was recognized for athletic abilities and inducted into the International Boxing Hall of Fame in 1990.

The Galveston community has lobbied for this pardon for years. Additionally, Senator John McCain, with several of his senatorial colleagues, previously investigated the possibility of a posthumous pardon for Jack Johnson. I am asking you to support our efforts and grant this pardon as a symbol of your commitment to America's ideals of justice and equality. As a sitting Galveston City Council member representing District 1, I am including a resolution passed in 2004 by a previous City Council as evidence of the community's desire to see Johnson granted a full pardon.

Sincerely,

Tarris L. Woods
District 1 City Council Representative
City of Galveston

Enclosure

RESOLUTION NO. 04- 031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, EXPRESSING ITS SUPPORT FOR THE EFFORTS OF UNITED STATES SENATOR JOHN MC CAIN TO INVESTIGATE AND TO SECURE A POSTHUMOUS PARDON FOR JOHN ARTHUR "JACK" JOHNSON, NATIVE OF GALVESTON, TEXAS, AND FIRST AFRICAN-AMERICAN HEAVYWEIGHT BOXING CHAMPION OF THE WORLD; DIRECTING THE CITY SECRETARY TO SEND A CERTIFIED AND TRUE COPY OF THIS RESOLUTION TO UNITED STATES SENATOR JOHN MCCAIN; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, John Arthur "Jack" Johnson was born in Galveston, Texas in 1878 and attended Galveston public schools through the fifth grade before working in a series of local jobs and learning the sport of boxing; and,

WHEREAS, Jack Johnson quickly established himself as a leading black boxer in Galveston and turned professional in 1897, gaining a reputation across the nation as a quick and powerful fighter, and the country's best black heavyweight boxer; and,

WHEREAS, in 1908 Johnson beat Tommy Burns to become the world heavyweight champion, and over the next two years Jack Johnson defended his title 5 times, and;

WHEREAS, in 1913 Johnson was tried for violating the Mann Act of 1910 which forbade transporting women across state lines for immoral purposes. It has been asserted that the case against Johnson was weak, but he was nonetheless convicted and Johnson moved to France to avoid serving time in prison; and,

WHEREAS, in 1915, in Havana, Cuba Jack Johnson lost his heavyweight title to American boxer Jess Willard after being knocked out in the 26th round and in 1920 Jack Johnson returned to the United States to serve a year in prison for his earlier conviction; and,

WHEREAS, after retiring from competitive boxing Jack Johnson worked as a businessman, wrote, and appeared in boxing exhibitions and in 1990, long after his death, Jack Johnson was inducted into the International Boxing Hall of Fame; and,

WHEREAS, United States Senator John McCain of Arizona and several senatorial colleagues are currently investigating the possibility of applying to the Department of Justice for a posthumous pardon of Jack Johnson because Senator McCain believes that "Pardoning Jack Johnson will serve as a historic testament of America's resolve to live up to its noble ideals of Justice and Equality".

WHEREAS, the City Council of the City of Galveston supports the efforts of United States Senator John McCain and his colleagues who are seeking a posthumous pardon of John Arthur "Jack" Johnson, first African-American heavyweight boxing champion of the world.

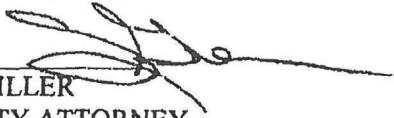
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Galveston, Texas, hereby directs the City Secretary to send a certified and true copy of this Resolution to United States Senator John McCain.

SECTION 3. This Resolution shall be and become effective from and after its adoption.

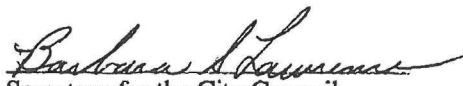
APPROVED AS TO FORM:

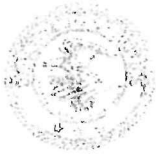

MICHAEL F. MILLER
ASSISTANT CITY ATTORNEY

I, Barbara S. Lawrence, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 12th day of August, 2004, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 19th day of March, 2009.




Secretary for the City Council
of the City of Galveston



U.S. Department of Justice

Pardon Attorney

Washington, D.C. 20530

AUG 14 2009

The Honorable Tarris L. Woods
District 1 City Council Representative
City of Galveston
P.O. Box 779
Galveston, Texas 77553

Dear Councilman Woods:

This correspondence is in response to your letter of March 19, 2009 to the President in which you endorse the granting of a posthumous pardon in the case of John Arthur "Jack" Johnson. I apologize for the delay in responding to your letter; it was provided to me for preparation of this reply only a few days ago. I must inform you, however, that it is the general policy of the Department of Justice that requests for posthumous pardons for federal offenses not be processed for adjudication.

President Clinton was the only President to grant a posthumous pardon. He did so on February 19, 1999, in the case of Henry O. Flipper, the first African-American graduate of West Point. Since the advisory process in pardon matters is covered by the deliberative process and executive privilege, I am unable to discuss the circumstances surrounding President Clinton's decision in this matter. The President's remarks upon issuing the pardon, however, are a matter of public record and are available for your review at the following Web site:
<http://www.history.army.mil/topics/afam/WH-Pardon.htm>.

The Office of the Pardon Attorney, which has a small staff, assists the President in the exercise of the plenary power he enjoys with respect to clemency for federal offenses by processing clemency matters. As in Mr. Johnson's case, many posthumous pardon requests would likely be based on a claim of manifest injustice, and given that decades have passed since the events and the historical record would have to be scoured to objectively and comprehensively investigate such applications, it is the Department's position that the limited resources which are available to process requests for Presidential clemency – now being submitted in record numbers – are best dedicated to requests submitted by persons who can truly benefit from a grant of the request. Moreover, since the focus of posthumous pardons is, as previously stated, likely to be a claim of great injustice, the Department's policy also recognizes that requests for posthumous pardons are less likely to involve issues generally explored in routine pardon investigations (such as the recent, or ongoing, rehabilitative efforts of a defendant, for which investigative resources external to the Office of the Pardon Attorney actually exist), and therefore are less likely to derive benefit from the investigative techniques commonly used in the pardon process. Notwithstanding this policy, the President always retains the plenary power granted to him by the Constitution to

pardon or commute sentences, and does so at his sole discretion, guided when he sees fit by the advice of the Pardon Attorney.

I hope that this letter explains our policy regarding posthumous pardons in a manner which is satisfactory to you. Additionally, I do appreciate you advocating the posthumous pardon request on Mr. Johnson's behalf. Please let us know if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers". The signature is written in dark ink and is positioned above the printed name.

Ronald L. Rodgers
Pardon Attorney